



United States
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Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

Wildlife
Services

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Subject: **Finding of No Significant Impact and Decision for
Migratory Bird
Damage Management in Nevada**

The United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA-APHIS), Wildlife Services (WS) program responds to requests for assistance from individuals, organizations and agencies experiencing damage caused by wildlife in Nevada. Wildlife Services activities are conducted in cooperation with other federal, state, and local agencies, as well as private organizations and individuals. Wildlife Services cooperates with and supervises the Nevada Department of Agriculture's Division of Resource Protection (DRP). The two entities, WS and DRP, form the Nevada Wildlife Services Program (NWSP) which is the proponent in this Environmental Assessment.

Nevada Wildlife Services Program prepared an environmental assessment (EA) to comply with APHIS NEPA implementing regulations and interagency agreements, facilitate planning and interagency coordination, streamline program management, and involve the public in a proposal to manage damage by migratory birds. Nevada Wildlife Services Program's proposed action was to allow the use of the full range of bird damage management methods on all lands authorized in the State for the protection of property, agriculture, natural resources, and public safety.

Public Involvement

Following interagency review of a preliminary draft of the EA, and a consultation with the Nevada Division of Wildlife, a pre-decision EA was prepared and released to the public for a 30-day comment period. One hundred twelve notices were sent directly to interested parties and agencies. A notice of availability of the pre-decision EA was published in the Nevada Appeal on April 1, 2008 and ran for three consecutive days. Notice of the availability of the pre-decision EA was also posted on the Wildlife Services website:

www.aphis.usda.gov/regulations/ws/ws_nepa_environmental_documents.shtml. This Finding of No Significant Impact (FONSI) and Decision is being mailed directly to all persons who commented on the pre-decision EA. No comments required changes to the EA, therefore, the pre-decision EA is now final. Notices of the availability of this FONSI and Decision were made in the same newspaper and website address.

Public Comments

Four comment letters were received in response to the pre-decision EA. A summary of public comments and NWSP responses is attached in Appendix A.



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Major Issues

NWSP, other agencies, and the public contributed to identifying a variety of issues deemed relevant to the scope of this EA. These issues were consolidated into the following 6 primary issues that were considered in detail in the EA:

1. Effects on target problem migratory bird species populations
2. Effects on non-target species populations, including T&E Species
3. Humaneness of control techniques
4. Effects on recreation (hunting and non-consumptive uses)
5. Effects on public safety and the environment (e.g., effects of toxicants and hazardous materials)
6. Effects on aesthetic values

Alternatives Analyzed in Detail

Three potential alternatives were developed to address the issues identified above. A detailed discussion of the anticipated effects of the alternatives on the objectives and issues is described in Chapter 3 of the EA. The following summary provides a brief description of each alternative and its anticipated impacts. Table 6 in the EA summarizes and compares the environmental consequences of each of the alternatives for each environmental issue.

Alternative 1 - Proposed Action and Current Federal Migratory Bird Damage Management Program

The proposed action, or current program alternative, is also identified as the “No Action” alternative under NEPA, and is consistent with CEQ’s definition for a No Action alternative. The proposed action alternative would allow the current integrated migratory bird damage management program to continue. Under this program, a combination of lethal and non-lethal methods would be available to resolve conflicts in an integrated wildlife damage management (IWDMM) approach. As described in the EA, this alternative and the cumulative impact would have a low magnitude impact on target species including Canada geese, mallards and American coots. There is a low potential to affect non-target species and the methods proposed would not be likely to adversely affect any threatened or endangered species. Some people oppose killing of wildlife for any reason however, the methods used are target specific, are as humane as possible and do not prolong suffering. The EA found the proposed action would be unlikely to negatively affect recreationists and may provide increased benefit by relocating waterfowl to appropriate recreational areas. The proposal may benefit public safety and health by reducing bird aircraft hazards and public health risks. Finally, this alternative may negatively affect the aesthetic value of some people who enjoy waterfowl in public parks while it may benefit the aesthetic environment of others by removing excess numbers of individual waterfowl and reducing feces and damage to landscaping.

Alternative 2 - No Federal NWSP Management

This alternative would consist of no federal involvement in waterfowl or other migratory bird damage management in Nevada. Neither direct operational management nor technical assistance would be provided from the federal component of the NWSP. Under this alternative, wildlife damage conflicts may potentially be handled by the Nevada Department of Agriculture, Division of Resource Protection's (DRP), NDOW, private resource owners and managers, private contractors, or other government agencies. Under this alternative, NWSP would have no effect on the issues discussed in the EA. Negative effects on public health, the economy and public safety would be expected to continue unless other entities could provide an acceptable level of assistance.

Alternative 3 - Non-lethal Management Only

This alternative would allow NWSP to provide technical information and operational assistance with non-lethal control techniques, such as guard dogs, frightening devices, chemical repellents, harassment, fencing, exclusion, modification of human behavior, habitat modification recommendations, and the use of capture devices such as cage traps and the immobilization agent alpha chloralose. Nevada Wildlife Services Program would also be able to loan equipment to the public to use for non-lethal control such as propane cannons, as it does under the current program. No lethal direct control or technical assistance would be provided. This alternative was found to have no effect on migratory bird populations other than localized effects from relocation. Effects on non-target species would be low and there would be no effect on threatened and endangered species. People concerned with humaneness over other issues may prefer this alternative. Relocation of waterfowl may provide increased benefit for recreational users and public safety may be improved in some circumstances. Finally, this alternative may negatively affect the aesthetic value of some people who enjoy waterfowl in public parks and may benefit the aesthetic environment by removing excess numbers of individual waterfowl and reducing feces and damage to landscaping.

Finding of No Significant Impact

The analysis in the EA indicates that there will not be a significant impact, individually or cumulatively, on the quality of the human environment as a result of this proposed action. I agree with this conclusion and therefore find that an EIS need not be prepared. This determination is based on the following factors:

1. Waterfowl damage management as conducted by NWSP is localized and is not regional or national in scope.
2. The methods used to control waterfowl are target-specific and are not likely to negatively affect public health and safety when used as described in the EA.
3. The proposed activities will not have an impact on unique characteristics of the geographic area such as park lands, prime farmlands, wetlands, wild and scenic

rivers, or ecological critical areas. The nature of the methods proposed for alleviating damages are not likely to permanently affect the physical environment.

4. The effects on the quality of the human environment are not highly controversial. Although there is some opposition by some members of the public to waterfowl control, this action is not highly controversial in terms of size, nature, or effect.
5. Based on the analysis documented in the EA, the effects of the proposed activities are not highly uncertain and do not involve unique or unknown risks.
6. The proposed action would not establish a precedent for any future action with significant effects or represent a decision in principle about future considerations.
7. There are no significant cumulative effects identified by this assessment. All wildlife removal will stay within management guidelines set for each species. The impacts on each species when combined with other known sources of mortality are expected to have a low to negligible impact based on the available information.
8. The proposed activities would not affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, nor would they likely cause any loss or destruction of significant scientific, cultural, or historical resources.
9. An evaluation of the proposed action and its effects on threatened and endangered species determined that the proposal would either have no effect, or would not be likely to adversely affect such species.
10. The proposed action would be in compliance with all Federal, State, and local laws imposed for the protection of the environment.
11. There are no irreversible or irretrievable resource commitments identified by this assessment, except for a minor consumption of fossil fuels for routine operations.

Decision

I have carefully reviewed the EA and the input resulting from the public involvement process. I believe the need for action and issues identified in the EA would be best addressed through implementation of Alternative 1 (the proposed action to continue the current program). Alternative 1 is therefore selected because (1) it offers the greatest chance at maximizing effectiveness and benefits to affected resource owners and managers within current program funding constraints; (2) it will maximize selectivity of methods available; (3) it offers a balanced approach to the issue of humaneness when all facets of the issue are considered; (4) it will continue to minimize risk to or conflicts with the public; and (5) it will minimize risks to non-target and T&E species. NWSP will

continue to use an Integrated Wildlife Damage Management approach in compliance with all the applicable mitigation measures listed in Chapter 3 of the EA.

For additional information regarding this decision, please contact Mark Jensen, State Director, USDA-APHIS-WS, 8775 Technology Way, Reno, NV 89521, (775) 851-4848.

 6/17/08 Date
Jeffrey Green, Regional Director
APHIS-WS Western Region

Summary of Public Comments and Responses

Public Comments

Four public comment letters were received in response to the pre-decision EA.

1. The commenter is concerned about the health of workers and patrons who may come in contact with excessively large quantities of feces collecting on properties. Commenter is concerned with the potential for disease.

2. Commenters are unable to maintain golf courses due to extreme costs associated with cleaning up excessive amounts of coot feces. The commenters cite clean up costs in excess of \$150,000 annually for clean up and in the “high hundreds of thousands of dollars” for annual economic impact (clean up coot feces, turf damage by coots, dogs and other harassment, and lost resort and related revenue due to coots).

3. Unacceptable losses in revenue occur from contaminated recreational facilities in both clean up cost and diminished aesthetic appeal. The quality and reputation of the resorts is suffering with patrons stating they will not return under present conditions. Sale of real estate and golf resort club memberships is harmed. Patrons pay for a clean and enjoyable experience which is not possible due to the concentration of coots.

The concerns expressed in comments 1, 2, and 3 were addressed in the pre-decision EA under Section 1.1.2.

4. Golf course managers have enumerated past non lethal and lethal efforts to keep excessive numbers of birds away. Methods that are effective with geese and ducks have been unsuccessful with coots. Removal of 10 percent of coot populations has been attempted. This has not been effective in reducing turf damage and heavy fecal concentrations on golf courses.

Section 4.2.1.1., which discusses the population effects on American coots notes that non-lethal methods which are effective on other waterfowl species are not effective on coots.

5. The commenter strongly supports the proposed action to mitigate waterfowl damage.

Thank you for your comment.

6. Smaller numbers of waterfowl are fine but excessive numbers interferes with world class golfing experience and soils equipment.

We acknowledge that waterfowl have ecological, recreational and aesthetic value but in excessive numbers can exceed socially acceptable levels for such reasons as those noted.

7. The commenter wants to know why WS' take of coots in Nevada is so high. Are other similar crises expected in the foreseeable future?

Reasons for the expanding numbers of coots removed in the Las Vegas area are discussed in the EA in Sections 1.1.3 and 2.1.1 under the American coot subheadings. Currently, no proposals involving additional species are being considered.